

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

MICHAEL A. BURNHART,
Plaintiff,

v.

CHIEF WRZENSKI,
Defendant.

Case No. C07-5326RBL-KLS

ORDER DENYING
PETITIONER'S MOTION FOR
RECONSIDERATION FOR
APPOINTMENT OF COUNSEL

This matter has been referred to Magistrate Judge Karen L. Strombom pursuant to 28 U.S.C. § 636(b)(1), Local Magistrates Rules MJR 3 and 4, and Rule 72 of the Federal Rules of Civil Procedure. The case is before the Court upon petitioner's filing of a motion for reconsideration (Dkt. #8) of its order denying his motion for appointment of counsel. (Dkt. #4). After reviewing petitioner's motion, the Court does hereby find and ORDER:

Local Rule CR 7 states:

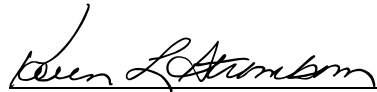
Motions for reconsideration are disfavored. The court will ordinarily deny such motions in the absence of a showing of manifest error in the prior ruling or a showing of new facts or legal authority which could not have been brought to its attention earlier with reasonable diligence.

Although petitioner asserts he is now back in a facility where there is no access to a law library, the Court finds that this in itself is an insufficient basis for reconsideration of its order, and that he still appears to be quite capable of representing himself *pro se*. In addition, petitioner has submitted no other new facts or legal authority which could not have been brought to the Court's attention earlier, nor has he shown any manifest error in the Court's prior ruling.

1 Accordingly, petitioner's motion for reconsideration (Dkt. #8) of his motion for appointment of
2 counsel hereby is DENIED.

3 The Clerk is directed to send copies of this Order to petitioner.

4 DATED this 12th day of October, 2007.

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8 Karen L. Strombom
9 United States Magistrate Judge
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